

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ANTONIO PORTER,

Plaintiff,

v.

CITY OF SEATTLE, et al.,

Defendants.

Case No. 2:23-cv-293-JNW-TLF

ORDER

On December 15, 2023, plaintiff filed a letter requesting that the Court allow him to amend his complaint. Dkt. 24. A party seeking to amend his complaint may seek leave of the Court. Fed. R. Civ. P. 15(a). Federal Rule 15(a) indicates that “[t]he court should freely give leave when justice so requires.” Fed. R. Civ. P. 15(a)(2). Although this is a liberal standard, leave to amend is discretionary and courts have identified a number of factors to consider when determining whether leave is appropriate. *See, e.g., Foman v. Davis*, 371 U.S. 178, 182 (1962). These factors include undue prejudice, futility, and undue delay. *Id.*

Local Civil Rule 15 requires a party who is seeking to amend a pleading to attach the proposed amended pleading as an exhibit to the motion. LCR 15. The party must also indicate how the proposed amended pleading differs from the original pleading by highlighting the text that is added and striking through part that is deleted. *Id.* This rule allows the Court and the parties to review the specific allegations in the proposed

1 amended complaint and evaluate whether the amendment should be allowed, or
2 whether the proposed amendment would be prejudicial, or futile.

3 Here, plaintiff did not file a motion but simply filed a letter; plaintiff did not submit
4 a proposed amended complaint, or follow the procedures required of LCR 15. As such,
5 Plaintiff has not complied with the requirements of the Local Civil Rules. Therefore, the
6 amended complaint will not be considered by the Court at this time. If plaintiff seeks to
7 amend his complaint, he must comply with LCR 15.

8 Plaintiff additionally detailed discovery materials that he had sent to the Court.
9 Under LCR 5(d) discovery documents must not be filed unless certain requirements are
10 met, which have not occurred in this case.

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12 Dated this 14th day of March, 2024.

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Theresa L. Fricke
16 United States Magistrate Judge
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